

CR11 00683

DLJ

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

FILED

2011 SEP 21 P 3:51

H.R.L.

San Jose Division

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT

THE UNITED STATES OF AMERICA

SEALED BY ORDER
OF THE COURT

vs.

CHRISTOPHER DOYON,
aka "PLF," "Commander Adama," and
"Commander X,"

JOSHUA JOHN COVELLI,
aka "Absolem," and "Toxic,"

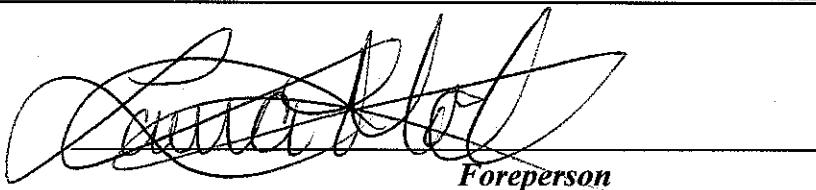
INDICTMENT

COUNT ONE: 18 U.S.C. §§ 1030(b),(c)(4)(A)(i)(I) - Conspiracy to Commit Intentional
Damage to a Protected Computer;

COUNT TWO 18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) - Intentional
Damage to a Protected Computer, Aiding and Abetting.

LM COUNT THREE
9/21/11

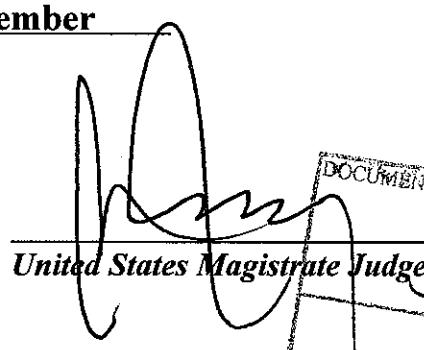
A true bill.

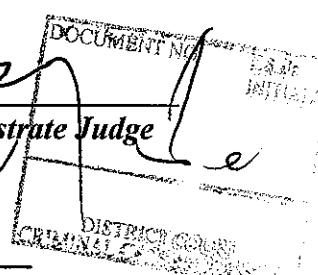

Foreperson

Filed in open court this 21st day of September

A.D. 2011

Arrest Warrant for Doyon
Bail. \$ Summons for Covelli


United States Magistrate Judge



1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED

2011 SEP 21 P 3:51

4 RICHARD W. WIEKING
5 CLERK, U.S. DISTRICT COURT
6 N.D. CA - SAN JOSE

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SEALED BY ORDER
OF THE COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DLJ
HRL

UNITED STATES OF AMERICA,

CR 11 No. CR-00683

Plaintiff,

v.

CHRISTOPHER DOYON,
aka "PLF," "Commander Adama," and
"Commander X,"

JOSHUA JOHN COVELLI,
aka "Absolem," and "Toxic,"

Defendants.

VIOLATIONS: 18 U.S.C. §§ 1030(b),
(c)(4)(A)(i)(I) – Conspiracy; 18 U.S.C. §§
1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) –
Intentional Damage to a Protected
Computer; 18 U.S.C. § 2 – Aiding and
Abetting.

(SAN JOSE VENUE)

Filed Under Seal

INDICTMENT

The Grand Jury charges:

Introductory Allegations:

At all times relevant to this Indictment:

1. The County of Santa Cruz, California ("Santa Cruz County"), was located wholly within the Northern District of California. Santa Cruz County maintained a website on the Internet through computer servers also located within the Northern District of California. This website allowed access to Santa Cruz County's government entities and programs, including Emergency Services, Law Enforcement, the Courts, Social Services, Agricultural Extension,

INDICTMENT

1 Employment, Surplus Sales, Vendor Registration, and Construction Projects and Proposals.

2 Santa Cruz County's website and computer servers were used in and affecting interstate and
3 foreign commerce and communication.

4 2. The City of Santa Cruz ("Santa Cruz City") was located wholly within Santa Cruz
5 County. The Santa Cruz City Municipal Code ("the Municipal Code") was a codification of the
6 general ordinances of Santa Cruz City. Section 6.36.010 of the Municipal Code, entitled
7 "Camping Prohibited," contained restrictions and definitions on camping within Santa Cruz City.
8 In response to the enforcement of Section 6.36.010, protesters occupied the Santa Cruz County
9 Courthouse premises from approximately July 4, 2010, to October 2, 2010. Law enforcement
10 officers from Santa Cruz County disbanded the protest and several protesters were charged with
11 misdemeanors crimes in Santa Cruz County.

12 3. The People's Liberation Front, also known as PLF, was an online collective of
13 individuals that was associated with collaborative hacking attacks motivated by political and
14 social goals, often referred to as "hactivism."

15 4. A Distributed Denial of Service ("DDoS") was a hacking attack that attempted to
16 render a computer resource unavailable to its intended users. One common DDoS attack
17 attempted to saturate the target computer or network with external communications requests,
18 such that the target could not respond to legitimate traffic, or responded so slowly as to render the
19 target effectively unavailable.

20 5. A High Orbit Ion Cannon ("HOIC") was an open source computer program that
21 was originally designed as a network security and stability testing application, but which was also
22 used as a tool by DDoS attackers. Attackers used HOIC to send extremely large amounts of
23 packets or requests over a network in an attempt to overwhelm a target.

24 DDoS Attacks on the County of Santa Cruz, California:

25 6. In retribution for Santa Cruz City's enforcement of Section 6.36.010 of the
26 Municipal Code, and Santa Cruz County's disbandment of the protest, the PLF coordinated and
27 executed a DDoS attack against Santa Cruz County's computer servers using HOIC. The PLF
28 referred to these co-ordinated attacks on Santa Cruz County as "Operation Peace Camp 2010."

1 COUNT ONE: (18 U.S.C. § 1030(b) – Conspiracy to Commit Intentional Damage to a
2 Protected Computer)

3 7. The factual allegations contained in Paragraphs 1 through 6 are realleged
4 and incorporated herein by reference as if set forth in full.

5 8. On or about a date unknown but at least by December 12, 2010, and continuing to
6 on or about December 16, 2010, in the Northern District of California and elsewhere, the
7 defendants,

8 CHRISTOPHER DOYON,
9 aka “PLF,” “Commander Adama,” and
“Commander X,”

10 JOSHUA JOHN COVELLI,
11 aka “Absolem,” and “Toxic,”

12 did knowingly conspire and agree with each other and other persons known and unknown to the
13 Grand Jury to commit Intentional Damage to a Protected Computer, in violation of 18 U.S.C. §§
14 1030(a)(5)(A), (c)(4)(A)(i)(I), & (c)(4)(B)(I), that is to commit a DDoS attack on Santa Cruz
15 County’s protected computers.

16 All in violation of Title 18, United States Code, Sections 1030(b) & (c)(4)(A)(i)(I).

17 COUNT TWO: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
18 Intentional Damage to a Protected Computer, Aiding and Abetting)

19 9. The factual allegations contained in Paragraphs 1 through 6 are realleged
20 and incorporated herein by reference as if set forth in full.

21 On or about December 16, 2010, in the Northern District of California and
22 elsewhere, the defendant,

23 CHRISTOPHER DOYON,
24 aka “PLF,” “Commander Adama,” and
“Commander X,”

25 knowingly caused the transmission of a program, information, code, and command, that is,
26 HOIC, and, as a result of such conduct, intentionally caused damage without authorization to
27 protected computers of Santa Cruz County, and caused loss to 1 or more persons during a 1-year
28 period affecting protected computers aggregating at least \$5,000 in value.

1 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
2 (c)(4)(B)(i), & 2.

3 COUNT THREE: (18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i) & (2) –
4 Intentional Damage to a Protected Computer, Aiding and Abetting)

5 10. The factual allegations contained in Paragraphs 1 through 6 are realleged
6 and incorporated herein by reference as if set forth in full.

7 On or about December 16, 2010, in the Northern District of California and
8 elsewhere, the defendant,

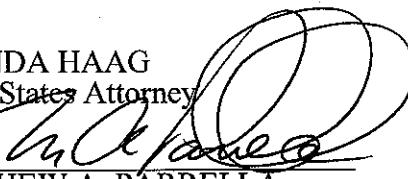
9 JOSHUA JOHN COVELLI,
10 aka "Absolem," and "Toxic,"

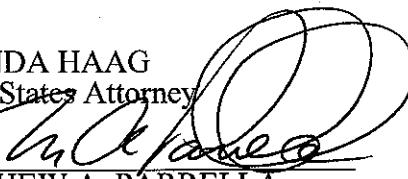
11 knowingly caused the transmission of a program, information, code, and command, that is,
12 HOIC, and, as a result of such conduct, intentionally caused damage without authorization to
13 protected computers of Santa Cruz County, and caused loss to 1 or more persons during a 1-year
14 period affecting protected computers aggregating at least \$5,000 in value.

15 All in violation of Title 18, United States Code, Sections 1030(a)(5)(A), (c)(4)(A)(i)(I),
16 (c)(4)(B)(i), & 2.

17 DATED: 9/21/11

18 A TRUE BILL.
19 
20 FOREPERSON

21 MELINDA HAAG
22 United States Attorney


23 MATTHEW A. PARRELLA
24 Chief, CHIP Unit


25 (Approved as to form: 
26 AUSAs PARRELLA & CHEW
27
28

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

Count 1: 18 U.S.C. §§ 1030(b), (c)(4)(A)(i)(l) - Conspiracy
 Counts 2-3: 18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(l), (c)(4)(B)(i)
 - Intentional Damage to a Protected Computer

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Count 1: 5 years imprisonment, \$250,000 fine.
 Counts 2-3: 10 years imprisonment each count; \$250,000 fine each count.

SEALED BY ORDER
OF THE COURT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

2011 SEP 21 P 3:52

DEFENDANT - U.S.

CHRISTOPHER DOYON, RICHARD W. WIEKING
 aka "PLF," "Commander Adams" and
 U.S. DISTRICT COURT
 DISTRICT COURT NUMBER

DLJ

CR 11 00 683

HAI

DEFENDANT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Melanie Adams

person is awaiting trial in another Federal or State Court,
 give name of court

this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocsecution of
 charges previously dismissed
 which were dismissed on motion
 of:

U.S. ATTORNEY DEFENSE

SHOW
DOCKET NO.

this prosecution relates to a
 pending case involving this same
 defendant

MAGISTRATE
CASE NO.

prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person
 Furnishing Information on this form Melinda Haag

U.S. Attorney Other U.S. Agency

Name of Assistant U.S.
 Attorney (if assigned) Matthew A. Parrella

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) If not detained give date any prior
 summons was served on above charges

2) Is a Fugitive3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge5) On another conviction} Federal State6) Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer Yes
 been filed? No

} If "Yes"
 give date
 filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: No Bail

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

A1

Comments:

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

Count 1: 18 U.S.C. §§ 1030(b), (c)(4)(A)(i)(I) - Conspiracy
 Counts 2-3: 18 U.S.C. §§ 1030(a)(5)(A), (c)(4)(A)(i)(I), (c)(4)(B)(i)
 - Intentional Damage to a Protected Computer

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Count 1: 5 years imprisonment & \$250,000 fine
 Counts 2-3: 10 years imprisonment each, & \$250,000 fine each count.

SEARCHED
INDEXED
SERIALIZED
FILED
BY ORDER
OF THE COURT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

2011 SEP 21 P 3:51

DEFENDANT - U.S.

JOSHUA JOHN COVELL

aka "Absolem" and "Toxic"

CLEVELAND, U.S. DISTRICT COURT

DISTRICT COURT NUMBER

DLJ

CR 11 00683

HPL

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Melanie Adams

person is awaiting trial in another Federal or State Court,
 give name of court

this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of
 charges previously dismissed
 which were dismissed on motion
 of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a
 pending case involving this same
 defendant

prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

MAGISTRATE
CASE NO.Name and Office of Person
 Furnishing Information on this form Melinda Haag U.S. Attorney Other U.S. AgencyName of Assistant U.S.
 Attorney (if assigned) Matthew A. Parrella

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

 Arraignment Initial Appearance

Defendant Address:

220 West Fundertree Road, Apt. 100, Pleasanton, CA 94566

Date/Time: November 1, 2011

Before Judge: Grewal HPL

Comments: Please have the U.S. Marshal's Service serve the Summons by mail.

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

1:30 PM

HPL
AJ